



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,688	06/27/2000	Mikio Sasaki	1-47	3751

23400 7590 08/03/2005

POSZ LAW GROUP, PLC
12040 SOUTH LAKES DRIVE
SUITE 101
RESTON, VA 20191

EXAMINER

PARDO, THUY N

ART UNIT	PAPER NUMBER
----------	--------------

2165

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/605,688

Applicant(s)

SASAKI ET AL.

Examiner

Thuy Pardo

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-13,22,23,28 and 30-33 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 2-13,22,23,28 and 30-33 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/10/2005.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's Amendment filed on May 10, 2005 in response to Examiner's Office Action has been reviewed. Claims 1, 15-20, 24, 26 and 27 have been canceled.

2. Claims 2-13, 22, 23, 28 and 30-33 are presented for examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 2-13, 22, 23, 28 and 30-33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. For instance, claims 2-13, 22, 23, 28 and 30-33 contain the newly added limitation of "non-GPS data" which was not described in the specification. Correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-13, 22, 23, 28 and 30-33 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Hoover et al.** (Hereinafter "Hoover") U.S. Patent No. 5,724,575, in view of **DeLorme et al.** (Hereinafter "DeLorme") U.S. Patent No. 5,948,040.

As to claim 2, Hoover teaches an information service system including a plurality of user terminals and a center capable of data communication with said user terminals [a plurality of remotely located user computers and an object broker computer, see col. 5, lines 49-51; ab; fig. 1, 6], said center comprising:

database construction means for adding information based on terminal-side information transmitted by said user terminals to an information database [transforms data stored in a plurality of remote, heterogeneous user databases into a homogeneous data model, see the abstract; col. 6, lines 61-64];

Art Unit: 2165

retrieval means for retrieving information according to the terminal-side information transmitted by said user terminals based on the information database constructed by said database construction means [col. 6, lines 27-51]; and

distribution means for distributing the information retrieved by said retrieval means as distributed information [col. 6, lines 31-33], said user terminals comprising:

input means for inputting information from a user [col. 11, lines 45-48; col. 30, lines 51-52];

terminal-side information generation means for generating said terminal-side information including at least information input with said input means and the situation information detected by said situation detecting means [col. 30, lines 50 to col. 31, lines 14];

storage and transmission means for storing the terminal-side information [col. 6, lines 21-26] generated by said terminal-side information generation means in memory means and for transmitting it to said center [col. 31, lines 11-14]; and

process execution means for executing a predetermined process based on the distributed information distributed by said center [col. 31, lines 15-29]. Hoover further teaches that said retrieval means of said center retrieves according to said request for retrieval using information included in said terminal-side information, when a request for retrieval is included in said terminal-side information; and said process execution means of said user terminal executes a notification process for notifying of the information according to said request distributed by the center as distributed information [col. 31, lines 29-40; col. 35, lines 44-45].

However, Hoover does not explicitly teach situation detecting means for detecting information on the situation of a mobile user including data regarding an environment of the user

Art Unit: 2165

that varies with movement of the user. DeLorme teaches situation detecting means for detecting information on the situation of a mobile user including data regarding an environment of the user that varies with movement of the user [recommended routes, course and/or expected terrain, surroundings or conditions as encountered or visualized underway, col. 22, lines 15-18; actual happenings as proposed or predicted at points or period in time, col. 33, lines 1-4, 24-27; immediate needs about available nearby for the user from a moving car, col. 73, lines 29-41; retrieving the remote TRIP user's "real time" geographic location, speed as detected and computed by the GPS, col. 75, lines 10-17].

Therefore, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to have modified Hoover's system for object-based relational distributed databases provided thereof would have incorporated the teachings of DeLorme especially data regarding the environment of mobile users for traveling activities; the motivation being to expand and enhance the versatility of Hoover's system by applying this feature in the system in order to allow the mobile user to determine the best solution in dealing with the actual happenings as proposed by the GPS as encountered underway.

As to claim 3, all the limitations of this claim have been addressed in the analysis above, and this claim is rejected on that basis.

As to claim 4, Hoover and DeLorme teach the invention substantially as claimed. Hoover further teaches that said database construction means adds information obtained by editing said

Art Unit: 2165

terminal-side information to said information database as information based on said terminal-side information [col. 6, lines 61-64].

As to claim 5, Hoover and DeLorme teach the invention substantially as claimed. Hoover further teaches that said terminal side information comprises information associated with predetermined entries for inferring information relevant to said request for retrieval [col. 6, lines 14-20].

As to claim 6, Hoover and DeLorme teach the invention substantially as claimed. Hoover further teaches that said terminal-side information is stored, transmitted and received in profiles in which information associated with particular entries among said predetermined entries is described [col. 31, lines 56 to col. 32, lines 13].

As to claim 7, Hoover and DeLorme teach the invention substantially as claimed. Hoover further teaches that said terminal-side information generation means of said user terminal generates said terminal-side information by inferring unknown information associated with entries of said terminal-side information based on past terminal-side information stored in memory means [col. 35, lines 40-60; col. 36, lines 5-18].

As to claim 8, Hoover and DeLorme teach the invention substantially as claimed. Hoover further teaches that said retrieval means of said center retrieves unknown information associated

Art Unit: 2165

with entries of said transmitted terminal-side information; and said process execution means of said user terminal executes an information update process for adding information which is said unknown information retrieved by said retrieval means and which is distributed by said center as distributed information to terminal-side information stored in said memory means [replace existing data, col. 34, lines 50-64; col. 35, lines 21-30].

As to claim 9, Hoover and DeLorme teach the invention substantially as claimed. Hoover further teaches that said retrieval means of said center selects past terminal-side information stored in said information database which is similar to said transmitted terminal-side information and retrieves unknown pieces of information in said transmitted terminal-side information based on said selected terminal-side information [col. 35, lines 40-50].

As to claim 10, Hoover and DeLorme teach the invention substantially as claimed. Hoover further teaches that said retrieval means of said center selects past terminal-side information stored in said information database which is similar to said transmitted terminal-side information based on the degree of similarity calculated on the basis of said profiles [col. 13, lines 66 to col. 14, lines 8; col. 14, lines 53-57].

As to claim 11, Hoover and DeLorme teach the invention substantially as claimed. Hoover further teaches that said user terminals further comprising: priority setting means for setting priorities for predetermined entries of said terminal-side information based on information input with said input means [inherent in the system, see case of emergency, fig.

Art Unit: 2165

18C]; and query means for prompting a user to input information associated with an entry having a relatively high priority set by said priority setting means when said information does not satisfy predetermined conditions [see fig. 19A-19B].

As to claim 12, Hoover and DeLorme teach the invention substantially as claimed.

DeLorme further teaches that information is a scenery information [col. 35, lines 16-45].

As to claim 13, Hoover and DeLorme teach the invention substantially as claimed.

DeLorme further teaches that said scenery information is information transmitted by each of said user terminals to said center as image information and edited at said center [col. 35, lines 16-45].

As to claims 22, 23 and 30, all limitations of this claim have been addressed in the analysis above, and this claim is rejected on that basis.

As to claim 28, Hoover and DeLorme teach the invention substantially as claimed.

DeLorme further teaches automatically transmitting the terminal-side information to said center when a user generated request for retrieval is made [col. 11, lines 40-60; col. 75, lines 46 to col. 76, lines 6].

As to claims 31-33, Hoover, DeLorme, and Mueller teach the invention substantially as claimed. DeLorme further teaches automatically transmitting the terminal-side information to said

Art Unit: 2165

center when a user generated request for retrieval is made [col. 11, lines 40-60; col. 75, lines 46 to col. 76, lines 6].

5. Applicant's arguments filed on May 10, 2005 have been fully considered but they are not persuasive.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2165

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is 571-272-4082. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at 571-272-4146.

The fax phone number for the organization where this application or proceeding is assigned as follows: 571-273-8300 (Official Communication)

and/or:

571-273-4082 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to then on occasions*).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

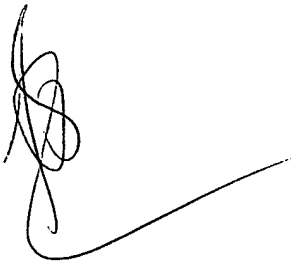
Art Unit: 2165

Or:

(703) 308-5359, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington. VA., Sixth Floor (Receptionist).

August 01, 2005

A handwritten signature in black ink, consisting of a series of loops and a long, sweeping horizontal line extending to the right.

**THUY N. PARDO
PRIMARY EXAMINER**